

THIRD DAY

(Continued)

(Tuesday, January 17, 1961)

After Recess

The Senate met at 11:00 o'clock a.m., and was called to order by the President.

Announcement

The President announced that Senators Dies and Martin were present today, they both having been excused on yesterday.

Message from the House

Hall of the House of Representatives
Austin, Texas,
January 17, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 4, Relating to Public Schools Week.

S. C. R. No. 5, Providing Joint Session to hear Address of Governor Price Daniel on January 18, 1961.

H. C. R. No. 4, Providing for payment of inaugural expenses to be made out of the Legislative Expense Fund of the Fifty-seventh Legislature.

H. C. R. No. 5, Granting authority to Inaugural Committee to handle traffic and parking in the Capitol Grounds during Inaugural Ceremonies.

H. C. R. No. 6, Providing for a Joint Session.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 17

Senator Smith offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Vance Singleton of Seminole, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Smith by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 18

Senator Gonzalez submitted the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Civics class from St. Teresa's Academy from Bexar County, Texas, accompanied by their teachers Mother Trinidad, S.T.J., Mother Angela, S.T.J., Mrs. Lula K. Jenschke, and Mrs. Edna La Febre; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guest and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students and their teachers to the Members of the Senate.

Presentation of Guests

Senator Hazlewood by unanimous consent presented former Senator Jesse Martin of Fort Worth to the Members of the Senate.

**House Concurrent Resolution 1
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 1, In memory of Uncle Henry Blair, who served as head porter of the Texas House of Representatives.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

(President Pro Tempore in the Chair.)

Motion to Adjourn

On motion of Senator Hardeman, the Senate agreed to adjourn at the conclusion of the Joint Session to inaugurate the Governor and Lieutenant Governor until 9:45 o'clock a.m. tomorrow.

Announcement

The President Pro Tempore at 11:12 o'clock a.m. announced the time had arrived for the Members, families and guests to proceed to the south entrance of the Capitol Building for the Joint Session for the inauguration of the Governor and Lieutenant Governor.

Joint Session

(To inaugurate the Governor and Lieutenant Governor.)

The Senate met at 12:00 o'clock noon in Joint Session with the House of Representatives in the space reserved for the Legislature adjacent to the platform erected at the south entrance of the Capitol for the inauguration of the Governor and the Lieutenant Governor.

Governor and Mrs. Price Daniel, Price Daniel, Jr., Jean Daniel, Houston Daniel, John Daniel, Mr. and Mrs. Bill Daniel, Will Daniel, Ann Daniel, Sue Daniel, Dani Daniel, Miss Ellen Daniel, Miss Miriam Partlow, Mr. and Mrs. F. T. Baldwin, Mr. and Mrs. Gerald Partlow, Mr. and Mrs. Dozier Partlow, Mrs. I. H. Devine, Mrs. Will Martin, Mr. Jake Jacobsen, Lieutenant Governor and Mrs. Ben Ramsey, Rita Ramsey, Ann Ramsey, MariBen Ramsey, Bess Dunlavey, Maurine Willis, Mr. and Mrs. Pierre Stine, Pierre Stine III, Mr. and Mrs. L. B. Mitchel, Mrs. Roland Bigley, Mary Ramsey, Mr. and Mrs. George Ramsey, Bennie Ramsey, Mrs. Roy Elkins, Kay Henry, Mr. and Mrs. E. D. Henry, Mrs. Charles Woodman, Mrs. Chester Dupont, Mr. and Mrs. Boyd Kilgore, Chief Justice Robert W. Calvert, Reverend W. R. White and Reverend Mar-

vin Vance were escorted to seats on the platform by Senators Aikin, Calhoun, Hudson, Martin and Smith on the part of the Senate and Representatives Jones, Fletcher, Foreman, Sandahl and Schram on the part of the House.

The Honorable James Turman, Speaker of the House, announced the purpose of the Joint Session.

The President Pro Tempore called the Senate to order and announced a quorum of the Senate present.

The Speaker then called the House of Representatives to order and announced a quorum of the House present.

Dr. W. R. White, President of Baylor University, deliver the invocation.

Speaker Turman announced that the Constitutional Oath of Office would be administered to Lieutenant Governor Ben Ramsey by Chief Justice Robert Calvert of the Supreme Court.

Honorable Ben Ramsey then took the Constitutional Oath of Office and affixed thereto his signature, the oath being administered and the signature attested by Chief Justice Robert Calvert of the Supreme Court.

Honorable Ray Roberts, President Pro Tempore of the Senate, then presented the Honorable Ben Ramsey, Lieutenant Governor of Texas, who addressed the Joint Session as follows:

Mr. Chief Justice, Governor Daniel, Mr. Speaker, members of the Texas House and Senate, and My Fellow Citizens—

To have taken this constitutional oath . . . amidst these historic surroundings . . . and for a sixth elective and consecutive term . . . is more than a great personal honor . . . it is to me a challenge . . . a challenge to action for a growing, vigorous, progressive Texas . . . A Texas second to none in its protection of the rights of all, of its obligations to its needy, of its building for a better day for all of its citizens.

It is a challenge to action, and action now.

I thank you for the confidence of a high trust. For me, and for my family, this is a memorable occasion. To all of you, I can only say that today

I am reconsecrated and rededicated, in all humility, to the tasks that lie ahead.

Ours is a glorious history . . . the grandest record of achievement of any state or nation. On January 17, 1821, Moses Austin received the first Texas land grant. One hundred forty years ago today, Austin was authorized by New Spain to bring into this territory three hundred colonists. Today we are a great commonwealth of more than nine million citizens . . . in a vigorous and free society.

It is inspiring to refresh ourselves anew at the fountain of our matchless history. It is good to review the ideals and inspirations of fifty and a hundred years ago. But it is not enough for us to rest upon the laurels of our forefathers. We must move forward. Our heritage demands a forthright policy of action today for an even greater Texas of tomorrow.

Conditions change with passing years but principles and processes of democratic government remain the same. Fundamentally, a good government is a responsive government. Through their delegated representatives—and through us alone—can the people's wishes be translated into reality.

It is our duty to balance the budget. The deficit must be wiped out. Income must equal outgo. These cold facts of the balance sheet must be recognized.

You, the people of Texas, have demanded a government of the first class . . . the best schools, the best roads, the best mental hospitals, the best welfare and health programs. I believe in necessary services of the first class. We, as Legislators, are pledged in our oaths to equal and uniform taxation. Good citizenship demands that any and all sponsors of increased expenditures be willing to bear their fair share of the cost. They owe it to themselves, to the Legislature, and to their fellow taxpayers to come, not as critics with selfish purpose, but as taxpayers ready to pay the bill for services they seek. With this kind of teamwork—and with this kind of responsibility as taxpayers alone—will we move forward.

The cause of good government does not rest alone on finances. I firmly believe in the sufficiency of our government to provide an all-important water conservation program. This is as vital to the welfare of our growing population as are the aforementioned

essential services. The responsibility of a sound water program must be met. To that end, I pledge you my constant cooperation.

Another of our tasks must be completed without delay. The people said in unmistakable clear voice at the ballot box last November that the small loan business must be cleaned up. The time is now. We must enact laws of unquestioned force to oust loan sharks who prey upon the small money borrowers. You and I must meet this obligation with action at this session.

The eyes of Texas are upon us as we legislate for nine million people. Let me urge every member of the Legislature, every state official and every citizen to weigh carefully each piece of legislation. Let us have the courage and the good sense to separate the non-essential from the essential. I earnestly trust intelligence may inspire our deliberations, tolerance may guide our tongues, and justice may jealously guide every legislative act.

I will not say to you that we must meet and solve our problems!

I say to you . . . in the spirit of the great men who have gone before us in Texas . . . that we will meet and solve our problems, with God's Will.

Governor Daniel . . . Mr. Speaker Turman . . . I am honored to be a member of this powerful triumvirate of people's confidence. As President of the Senate, I pledge to you, and to the people of Texas . . . every citizen of this state . . . my wholehearted cooperation in working for a greater Texas and a greater day for all Texans.

Speaker Turman announced that the Constitutional Oath would next be administered to Governor Price Daniel by Chief Justice Robert Calvert of the Supreme Court.

Honorable Price Daniel then took the Constitutional Oath of Office and affixed thereto his signature, the oath being administered and the signature attested by Chief Justice Robert Calvert of the Supreme Court.

Speaker Turman then presented His Excellency, the Honorable Price Daniel, Governor of the State of Texas, who delivered the following address:

For the third time the people of

Texas have entrusted with me this, the greatest honor and highest office within their power. With sincere humility and deep gratitude I again accept the office of Governor and express to all the people of Texas my heartfelt appreciation. My special thanks go to all my family, associates, and friends whose constant assistance have made this possible. I pray that my actions will be worthy of your faith and confidence.

I thank all of you who are present for this occasion. Especially do I welcome the distinguished representatives of the adjoining States of the Republic of Mexico. We appreciate your joining with us in another demonstration of the friendship and good will which exist between our people and your people. You honor us by your presence.

As stated at my previous inaugurations, it is ever significant to me that the official oath of office which I have just taken ends with the words, "So help me God." I shall continue to take seriously this plea for Divine guidance with which I have sealed my pledge to "preserve, protect, and defend" the Constitution and laws of the United States and of this State.

For the third time this morning, we began an inaugural day by stressing the importance of spiritual guidance in the lives of men and the affairs of government at a prayer breakfast for State officials and members of the Legislature. I appreciate the inspiring message which Dr. W. R. White, President of Baylor University, delivered on that occasion.

I offer my wholehearted cooperation to you, Governor Ramsey, and to you, Mr. Speaker, to the members of the Legislature, and to the other officials of our State. We have subscribed to the same oath of duty. Together, we must work for a free and noble people, who govern themselves through those of us who act as their chosen representatives. May we strive always to make our government truly of, by, and for the people.

Today marks the thirteenth time that I have taken an official oath similar to the one repeated here; three times as a member of the Texas Legislature, once as Speaker of the Texas House of Representatives; once as a private in the United States Army, then as an officer; three times as Attorney General of Texas; once as a

member of the United States Senate; and now three times as Governor. Each time, as again today, my heart has been moved by a renewed pledge of allegiance to uphold and defend government by law rather than by men.

In accordance with this oath, I shall uphold and defend the Constitutions of our dual sovereignties in all of their parts. However, as pledged two years ago, I shall continue to emphasize and fight for those neglected portions of both State and Federal Constitutions which recognize that "powers not delegated to the United States by constitution . . . are reserved to the States . . . or to the people."

The real strength of America lies not in Washington nor in concentrated power or centralized authority. The enduring power of this nation lies in the faith and strength of our people and in the strength of our States and our local units of self-government.

As Governor, I shall continue to fight against further encroachments by the central government upon the rights of our State and our people. To be successful in this fight, we must properly discharge the State responsibilities which accompany these rights. We must have as much talk and action on State responsibilities as we have on State rights. This has been my philosophy since I entered public service as a member of the Texas House twenty-two years ago, and it shall continue as the guiding principle of this administration.

Today we face many responsibilities which must be exercised for continued growth, prosperity, and sound government in our State. By properly meeting these State responsibilities, we will contribute not only to the future of our State, but to the preservation of constitutional government and the original concept of State-Federal relations which gave birth and strength to our Nation.

I am proud of the progress of this administration and the State responsibilities which have been exercised during the past four years. Through legislative and administrative action, we have restored honesty, integrity, and public confidence in our State government.

For the first time, we have a statewide planning program for water conservation and development. We have had the State's largest highway construction program, and along with it we inaugurated the first statewide

highway safety program, which has appreciably reduced the slaughter on our streets and highways. We have established the Texas Industrial Commission and the first State program for attracting new industries, tourists, and new residents. We have made improvements in public education, including salary increases for public school and college teachers.

Other enactments during this administration included creation of the Texas Youth Council, the first paid parole system for adults, increased pensions for the aged, and improvements in our State hospitals, special schools, correctional institutions, and law enforcement programs.

Indeed, these have been significant accomplishments during the past four years. They have been important exercises of State responsibility. However, in a growing State like Texas, we hardly have time to look back with pride before it is necessary to look forward with action for new accomplishments and continued expansion.

In practically every field which I have mentioned, the passage of time, our rapid population increase, and the need to meet competition of other States have placed upon us the need for further improvements and additional revenue. If we are to pay for present services and make the improvements necessary to keep pace with the rapid growth of our State, we have the further responsibility of raising sufficient revenue to retire the present deficit and operate this State on a balanced budget.

This is not the first time that a Texas Legislature has faced a deficit, and Texas is not the only State which has the problem of raising new taxes. Throughout the history of this State, Texas Legislatures have been faced with deficits more often than with balanced budgets, and now and during the past two years most of the other States have been confronted with needs for new taxes—some of them greater than ours.

None of this lessens in any degree the magnitude of the fiscal problem which faces the 57th Legislature. It is greater in total dollars than any before in our history. I shall present the reasons, the details, and recommended solutions in my first message to the Legislature. This much I shall say now:

I shall recommend to the Legislature that we place first and foremost

the retirement of the deficit, and I shall submit this as an emergency matter. I feel strongly that we should arrange to pay for past commitments and present debts before undertaking new programs and new expenditures.

In the meantime, it is my sincere hope that those citizens and business groups who believe in State rights and State responsibilities will lend their cooperation and support to the Legislature in its effort to adequately finance State government. All too often some who proclaim the loudest about State rights are in the forefront against State taxes, even with State taxes being deductible from the Federal income tax. Those who thus contribute toward higher Federal tax collections and lower State revenue simply weaken the power of the States in our system of State-Federal relations. So often the same taxpayers end up financing Federal programs which the States could have operated at far less expense and with far more efficiency and success.

I am convinced that the people of Texas realize that the phenomenal growth of our State requires additional taxes. I believe they will welcome prompt action, and that friction, dispute, and delays will result in far more disappointment and criticism than whatever solution might be finally adopted. It is my hope that all of us in State government will look upon our task not only as a serious problem but as a great challenge. Some of the finest chapters of Texas history have been written by Governors and legislators who faced problems and met challenges that demanded a full measure of courage and statesmanship. Texas, as we know it today, was built by men and women who had the courage to overcome hardships, to withstand selfish interests, and to fight for what they believed to be right. As they met the challenges of the past, I have faith that we shall meet the challenges of today.

Again, to you, Governor Ramsey, Mr. Speaker, and members of the Legislature, I pledge my full cooperation, and I earnestly solicit for all of us the understanding, counsel, and support of all the people whom we are honored to serve.

The President Pro Tempore presented Representative Eligo de la Garza who presented the following distinguished guests to the Joint Session.

Hon. and Mrs. Angel Cano del Castillo, Consul General, San Antonio; Ing. José F. Muguerza, Official Representative, Governors of Nuevo Leon and Coahuila; Dr. Adán Mercado Cerdá, Official Representative, Governor of Tamaulipas; Hon. and Mrs. Rafael Linares, Consul of Mexico, Austin; Hon. and Mrs. J. Frans Herpin, Vice Dean, Consular Corps and Consul General of Belgium; Hon. Raymond Hoo, Consul of China; Hon. Shigeaki Yamashita, Consul of Japan; Hon. Fernando Muguerza, Nuevo Leon; Hon. Alberto Bueron, Tamaulipas; Hon. Watson W. Wise, Chairman, Good Neighbor Commission; Hon. and Mrs. Glenn E. Garrett, Chairman, International Committee; Judge and Mrs. St. John Garwood, Co-Chairman, International Committee.

Mr. de la Garza also presented Mrs.

Ida Mae McAdams, Member of the Good Neighbor Commission.

The President Pro Tempore then presented former Governor Dan Moody and Mrs. Moody to the Joint Session.

Dr. Marvin Vance, Pastor of the First Methodist Church of Austin, delivered the benediction.

The band of The University of Texas played "The Eyes of Texas."

Adjournment

The President Pro Tempore announced the purpose of the Joint Session concluded and declared the Senate at 12:35 o'clock p.m. adjourned until 9:45 o'clock a.m. tomorrow in accordance with a motion previously adopted in the Senate.

In Memory of
Mr. Bennie Lloyd Larrabee, Sr.

Senator Parkhouse offered the following resolution:

(Senate Resolution 16)

Whereas, On January 15, 1961, the city of San Antonio and the State of Texas, lost an esteemed citizen in the passing of Mr. Bennie Lloyd Larrabee, Sr.; and

Whereas, He was born in Centerville, Texas, July 19, 1891. He served in World War I as a Sergeant with the A.E.F. and saw action in Marbache, St. Mihiel and Meuse Argonne; and

Whereas, Mr. Larrabee had resided in San Antonio since 1923 and was employed as Chief Cost Accountant for the Alamo Iron Works. Prior to this, he had been a well known accountant in Falfurrias, Texas; and

Whereas, He was the father of Bennie Lloyd Larrabee, Jr., well known by hundreds of Texas lawmakers for his coverage of the Texas Legislature for thirteen years before becoming night manager of United Press International in Dallas; and

Whereas, He is survived by his widow, Alma Estelle Coleman Larrabee of San Antonio, Texas; two sons, Bennie Lloyd Larrabee, Jr., of Dallas, Texas, and Robert Whitney Larrabee of Rumson, New Jersey; now, therefore, be it

Resolved, That the Senate of Texas express its sincere sympathy to the family of this fine Texan and forward them a copy of this Resolution; and, be it further

Resolved, That a page be set aside in the Senate Journal in memory of Mr. Larrabee; and that when the Senate adjourns today, it do so in his memory.

PARKHOUSE
GONZALEZ

The resolution was read and was adopted by a rising vote of the Senate.